

STATEMENT OF BASIS (AI No. 162467)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0124621 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Swivel Rental & Supply LLC
304 Fairlane Drive
Lafayette, Louisiana 70507

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: July 20, 2009

1. PERMIT STATUS**A. Reason For Permit Action:**

Issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permits –

LPDES permit effective date: N/A
LPDES permit expiration date: N/A

C. Date Application Received: March 2, 2009. A Notice of Intent to Discharge Exterior Vehicle and Equipment Wash Wastewater was received December 31, 2008; however, the discharges from this facility do not qualify for this permit as washwater discharges from oilfield equipment are not covered under this permit. Therefore, the facility submitted an LPDES Permit Application to Discharge Oil Field Service and Associated Wastewaters on March 2, 2009. Additionally, an LPDES No Exposure Certification For Exclusion From LPDES Stormwater Permitting was submitted March 2, 2009.

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - oilfield service company**

Swivel Rental & Supply LLC is an oilfield service company that washes external vehicles and equipment. Sanitary wastewater from the facility goes to the publically owned treatment works.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II *
3. Wastewater Type: II
4. SIC code: 1389

*BPJ to 5 points because only equipment washwater being discharged.

C. LOCATION - 304 Fairlane Drive, Lafayette, Lafayette Parish
Latitude 30° 16' 19", Longitude 92° 02' 02"

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: exterior vehicle and equipment washwater
Treatment: 3 chamber oil/water separator
Location: at the point of discharge from the treatment system
Flow: 1700 gpd
Discharge Route: pipe thence to local drainage thence to Bayou Vermilion

4. RECEIVING WATERS

STREAM - pipe thence to local drainage thence to Bayou Vermilion

BASIN AND SEGMENT - Vermilion-Teche Basin, Segment 060801

DESIGNATED USES -
a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
f. agriculture

5. TMDL STATUS

Subsegment 060801, Vermilion River - From Headwaters to LA 3073 Bridge, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, Subsegment 060801 was previously listed as impaired for phosphorus, nitrogen, organic enrichment/low DO, pathogen indicators, suspended solids/turbidity/siltation, and carbofuran for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

Total Maximum Daily Loads (TMDLs) completed:

Carbofuran

The TMDL for Carbofuran in the Mermentau and Vermilion Teche River Basins was final on March 21, 2002. No allocation was given to point source discharges in the Vermilion Teche River Basin. According to the TMDL, there is only one point source in the Vermilion Teche (FMC Corp. LA0064360), but it no longer discharges Carbofuran. In addition, this facility has no potential to discharge Carbofuran. Therefore, requirements for Carbofuran will not be placed in this permit.

Nitrogen/Phosphorus

The TMDL for Dissolved Oxygen and Nutrients in the Vermilion River was final on April 5, 2001. No allocation was given to point source discharges in the Vermilion Teche River Basin. LDEQ's position on nutrients, as supported by the ruling in *Sierra Club v. Givens*, 710 So.2d 249 (La. App. 1st Cir. 1997), writ denied, 705 So.2d 1106 (La. 1998), is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. LAC 33:IX.2707.D.1.f.iii allows the establishment of effluent limitations based on an

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indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through COD limitations. Compliance with the COD limitation as the indicator parameter will result in the control of nutrients from the discharge sufficient to attain and maintain the applicable water quality standard. Effluent monitoring of the indicator parameter as conducted by the permittee in accordance with the permit in addition to LDEQ's ambient water quality monitoring program will allow for further evaluation by the Department to determine the effectiveness of the limitation. The reopener clause located in the permit allows the Department to modify or revoke and reissue the permit if the limitations as set on the indicator parameter are shown to no longer attain and maintain applicable water quality standards.

Suspended solids/turbidity/siltation

As per the TMDL for TSS, Turbidity, and Siltation for the 15 Subsegments in the Vermilion River Basin, point source loads are so small as to be insignificant, and because effective policies are in place to limit TSS discharges, no specific reductions from point sources are required. Standard TSS limitations are included in this permit.

Organic Enrichment/Low DO

Per the EPA's Vermilion River Dissolved Oxygen and Nitrogen TMDL, the limits apply to sanitary discharges, and process outfalls of food processors and seafood processors. For discharges less than 25,000 GPD, secondary limits shall apply as per the TMDL. The organic enrichment/low DO impairment shall be addressed through the COD parameter established in this permit.

Pathogen Indicators

Per The Vermilion River Fecal Coliform TMDL, there will be no change in the permit requirements based upon a wasteload allocation resulting from this TMDL. This facility has no potential to discharge pollutants that will contribute to the pathogen indicators impairment.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

7. COMPLIANCE HISTORY/COMMENTS

There have been no inspections at the facility.

DMR Review/Excursions – N/A as this is a new facility.

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8. EXISTING EFFLUENT LIMITS

N/A as this is a new facility.

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 060801 of the Vermilion-Teche Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008, from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

Upon receipt of the initial application, this facility was a proposed facility. (Facility startup 11/09). Therefore, LDEQ consulted with the State Historic Preservation Officer (SHPO) in a letter dated March 4, 2009, to determine whether construction-related activities could potentially affect sites or properties on or eligible for listing on the National Register of Historic Places. SHPO's response letter, dated March 26, 2009, stated that the facility as proposed will have no potential effects.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Swivel Rental & Supply LLC

1. **Outfall 001** – exterior vehicle and equipment washwater (estimated flow is 1700 gpd)

Pollutant	Limitation		Reference
	Monthly Avg.	Daily Max	
	mg/L		
Flow	Report	Report	
COD	200	300	Similar discharges*, LAG480000 (BPJ)
TSS	---	45	Similar discharges*, LAG480000 (BPJ)
Oil & Grease	---	15	Similar discharges*, LAG480000 (BPJ)
Soaps & Detergents	Inventory Record	---	Similar discharges*, LAG480000 (BPJ)
Oil & Grease, Visual	---	No Presence	Similar discharges*, LAG480000 (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges*, LAG480000 (BPJ)

Treatment: 3 chamber oil/water separator

Monitoring Frequency: daily for Oil and Grease, Visual and quarterly for flow, TSS, COD, oil and grease, and pH at the point of discharge from the treatment system prior to mixing with other waters. Soaps and Detergents: document in a quarterly inventory record the quantity and type of any Soap and/or Detergent used during each calendar month.

Limits Justification: Limits and monitoring frequencies are based on current guidance for similar discharges from other facilities and the Light Commercial General Permit, LAG480000 effective August 1, 2001.

Note: EPA Guidelines for Metal Products & Machinery (40 CFR Part 438) are applicable; however, more stringent state requirements for exterior equipment washwater are being placed in the permit.

* Existing permits for similar outfalls
BPJ Best Professional Judgement
su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 1389 are considered to have storm water discharges associated with industrial activity. However, SWP3 language is not included in the permit because an LPDES No Exposure Certification For Exclusion From LPDES Stormwater Permitting was submitted on March 2, 2009.